

The Honorable James L. Robart

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MERCER INTERNATIONAL INC.,

Plaintiff,

vs.

GATES CAPITAL MANAGEMENT, INC.,  
GATES CAPITAL MANAGEMENT GP,  
LLC, GATES CAPITAL MANAGEMENT,  
L.P., GATES CAPITAL PARTNERS, LLC,  
ECF VALUE FUND, L.P., ECF VALUE  
FUND II, L.P., ECF VALUE FUND  
INTERNATIONAL MASTER L.P., ECF  
VALUE FUND INTERNATIONAL LTD.,  
and JEFFREY L. GATES,

Defendants.

Case No. 2:16-cv-01864

**~~PROPOSED~~ ORDER GRANTING  
DEFENDANTS' MOTION FOR  
RELIEF FROM DEADLINE TO  
ANSWER OR OTHERWISE  
RESPOND TO PLAINTIFF'S  
AMENDED COMPLAINT**

*Jer*

THIS MATTER came for hearing before this Court upon Defendants' Motion for Relief from Deadline to Answer or Otherwise Respond to Plaintiff's Amended Complaint. Having considered:

- A. Defendants' Motion for Relief from Deadline to Answer or Otherwise Respond to Plaintiff's Amended Complaint;
- B. Declaration of Michael E. Swartz in support thereof;

[PROPOSED] ORDER GRANTING  
MOTION FOR RELIEF FROM DEADLINE  
Case No. 2:16-cv-01864

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Phone 206.204.6200

1 C. \_\_\_\_\_;  
2 D. \_\_\_\_\_;  
3 E. \_\_\_\_\_;  
4 F. \_\_\_\_\_; and

5 being fully advised on the matter:

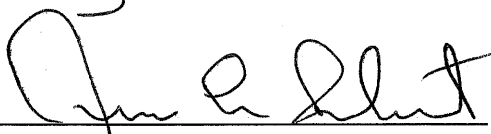
6 IT IS HEREBY ORDERED that Defendants' Motion for Relief from Deadline to Answer  
7 or Otherwise Respond to Plaintiff's Amended Complaint is GRANTED. Gates Capital  
8 Management, Inc., Gates Capital Management GP, LLC, Gates Capital Management, L.P., Gates  
9 Capital Partners, LLC (f/k/a Gates Capital Partners, L.P.), ECF Value Fund, L.P., ECF Value  
10 Fund II, L.P., and Jeffrey L. Gates shall have until March 6, 2017, to answer or otherwise  
11 respond to Plaintiff's Complaint.

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[PROPOSED] ORDER GRANTING  
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SIGNED THIS 22<sup>nd</sup> DAY OF February, 2017.

  
HONORABLE JAMES L. ROBERT  
UNITED STATES DISTRICT JUDGE

PRESENTED BY:

**BRACEWELL LLP**

By: /s/ Philip J. Bezanson

By: /s/ Carolyn Robbs Bilanko

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By: /s/ Michael Swartz

By: /s/ Randall Adams

Michael Swartz, *Pro Hac Vice Application Pending*

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**CERTIFICATE OF SERVICE**

I declare that on February 3, 2017, I caused a true copy of the foregoing document to be served on the following in the manner indicated:

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- ☒ ECF
- ☐ Via Hand Delivery
- ☐ Via Facsimile
- ☐ Via U.S. Mail
- ☐ Via Overnight Delivery
- ☐ Via E-Mail per Agreement

*Attorneys for Plaintiff*  
*Mercer International Inc.*

/s/Victoria Washinhton

Victoria Washington  
Assistant to Carolyn Robbs Bilanko